

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEON E. MORRIS,

Plaintiff,

V.

JOELSON,

Defendant.

Case No. 1:20-cv-00165-NONE-EPG (PC)

**ORDER GRANTING DEFENDANT'S
SECOND MOTION TO MODIFY THE
SCHEDULING ORDER**

(ECF No. 34)

On May 28, 2021, Defendant filed a second motion to modify the scheduling order. (ECF No. 34). Defendant asks the Court “to modify the December 16, 2020 Scheduling Order (ECF No. 25) to extend the deadlines to file motions to compel to July 31, 2021, and responses to August 14, 2021, non-expert discovery to October 13, 2021, and dispositive motions to November 13, 2021. The current deadline to file motions to compel is May 31, 2021, and responses is August 14, 2021, non-expert discovery is August 13, 2021, and dispositive motions is September 13, 2021.” (*Id.* at 1). “The extensions are needed allow defense counsel to complete necessary written discovery, and to compel responses, if necessary.” (*Id.*). “Plaintiff has not served his initial disclosures. Notwithstanding Defendant’s pending Motion to Dismiss, Defendant has not completed written discovery and as evidenced by Plaintiff’s non-responsiveness to discovery on the issue of exhaustion of administrative remedies and the failure to serve court ordered initial disclosures, motions to compel will likely be necessary. Additionally, written discovery could avoid the need to take Plaintiff’s deposition.” (*Id.* at 2).

The Court finds good cause to grant Defendant's motion. The remaining dates and deadlines in this case are as follows:

Event	Deadline/Date
Motions to compel	July 31, 2021
Responses to motions to compel	August 14, 2021
Non-expert Discovery	October 13, 2021
Dispositive motions	November 13, 2021
Expert Disclosures	March 14, 2022
Rebuttal Expert Disclosures	April 13, 2022
Plaintiff's Pretrial Statement	May 13, 2022
Motions for Attendance of Incarcerated Witnesses	May 13, 2022
Deadline for Plaintiff to Notify Court in Writing of the Name and Location of each Unincarcerated Witness Who Refuses to Testify Voluntarily	May 13, 2022
Oppositions to Motions for Attendance of Incarcerated Witnesses	June 13, 2022
Defendants' Pretrial Statement	June 13, 2022
Deadline for Plaintiff to Submit Money Orders if He Wants to Have Marshals Service Serve Unincarcerated Witnesses Who Refuse to Testify Voluntarily	June 13, 2022
Telephonic Trial Confirmation Hearing	July 13, 2022, 8:15 a.m., Courtroom 4 (NONE)

All other terms and conditions of the Scheduling Order remain in full force and effect.
IT IS SO ORDERED.

Dated: June 1, 2021

/s/ *Evan P. Groj*
UNITED STATES MAGISTRATE JUDGE